

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

DOROTHY LINGAFELTER)	
)	
Plaintiff)	
)	
vs.)	CASE NO: 3:13-CV-00211-JMS-WGH
)	
ST. MARY'S MEDICAL CENTER)	
OF EVANSVILLE, INC.)	
)	
Defendant)	

DEFENDANT'S PRELIMINARY WITNESS AND EXHIBIT LIST

The Defendant, St. Mary's Medical Center of Evansville, Inc., ("Defendant" or "SMMC"), by counsel, submits a preliminary list of the witnesses it may call and the exhibits it may utilize in defending claims brought by the Plaintiff, Dorothy Lingafelter.

WITNESSES

For its preliminary list of witnesses Defendant submits the following:

1. Any person listed on Plaintiff's Initial Disclosures.
2. Jayme Farley. Ms. Farley is a Nurse with St. Mary's that has knowledge of Plaintiff's employment and work performance.
3. Diane Parrish. Ms. Parrish is a Staff Development Specialist with St. Mary's that has knowledge of the Plaintiff's employment.
4. Vickie Solis. Ms. Solis is an employee in St. Mary's Employee Health Services Department that has knowledge of the Plaintiff's employment.
5. James W. Price, D.O. Dr. Price is an employee of St. Mary's Occupational Medicine that has knowledge of the Plaintiff's medical information.
6. Jonathon Green, PA-C, MPH. Mr. Green is a physician assistant at St. Mary's Occupational Medicine that has knowledge of the Plaintiff's medical information.
7. Chris Mann, OTR, CHT, CWCE. Mr. Mann is registered Occupational Therapists at St.

Mary's that has knowledge of the Plaintiff's functional capacity evaluation.

8. Suzanne Fant. Ms. Fant is Human Resources Manager for St. Mary's and has knowledge of Plaintiff's employment and work history.
9. Any and all individuals who participated in the decision to terminate Plaintiff;
10. Any and all individuals, who prepared, assisted in preparing or gathered information and/or interviewed witnesses concerning the termination.
11. Any person listed on Plaintiff's Initial Disclosures or other witnesses discovered prior to trial.
12. Any and all witnesses necessary to authenticate documents obtained from third parties and/or to authenticate documents listed on Defendant's Exhibit List.
13. All persons deposed in this matter.
14. All witnesses listed by Plaintiff and witnesses discovered prior to trial or during the course of discovery.
15. Any witnesses required for rebuttal, surrebuttal, and/or impeachment purposes.
16. The Defendant reserves the right to add expert witnesses at any time within the time frames provided and allowed by the Case Management Plan and other pre-trial orders.

Because trial preparation is ongoing, the Defendant reserves the right to amend and supplement this preliminary witness list at any time prior to the date of trial.

EXHIBITS

For its preliminary list of exhibits Defendant submits as follows:

1. Copies of all documents related to Plaintiff's EEOC Charge.
2. All documents produced in response to Plaintiff's discovery requests.
3. All documents produced by Plaintiff in response to Defendant's discovery requests.
4. Any and all documents identified by Plaintiff in her initial disclosures.
5. Any notes prepared by company officials.
6. St. Mary's Employee Handbook and other written policies and procedures.

7. Plaintiff's time, attendance and leave records;
8. Plaintiff's pay stubs;
9. Job description for Plaintiff;
10. Plaintiff's personnel file, including a copy of the inside and outside of the file jacket cover;
11. Plaintiff's work evaluations;
12. Plaintiff's individual tax returns and W-2's;
13. Documents generated by and submitted by the parties to the EEOC;
14. Unemployment file documents and related paperwork;
15. All documents and emails pertaining to Plaintiff or the decision to terminate her employment;
16. All documents identified in the Defendant's initial disclosures;
17. Plaintiff's medical records and bills;
18. All other files maintained by Defendant that pertain to Plaintiff;
19. All audio recordings pertaining to Plaintiff or the issues in this case, including without limitation, any audio recordings of telephone conversations involving allegations concerning Plaintiff, phone calls made by or to Plaintiff, recordings of witness statements and audio recordings of meetings with Plaintiff or pertaining to Plaintiff;
20. Any and all documents that evidence Plaintiff's Complaint, supporting documentation and Defendant's responses thereto;
21. All emails and other electronically stored information that pertain to Plaintiff's job performance or the decision to end her employment;
22. Any and all emails concerning any investigation concerning Plaintiff or her work performance;
23. Any and all emails concerning the termination of Plaintiff's employment;
24. Any and all emails to or from third parties, agents, independent contractors and other nonemployees of Defendant concerning the investigation of Plaintiff;
25. Any and all notes taken by Defendant that pertain to Plaintiff or her work performance;

26. Any and all notes taken by Defendant that pertain to allegations concerning Plaintiff;
27. Any and all notes made concerning interviews with witnesses related to Plaintiff, her job performance and/or the allegations concerning Plaintiff;
28. Plaintiff's deposition testimony;
29. Defendant's deposition testimony;
30. All pleadings in this action.
31. All exhibits marked, identified or referred to in depositions taken in this cause.

Defendant does not hereby stipulate to the authenticity or admissibility of any of the foregoing items. Because trial preparation is ongoing, the Defendant reserves the right to deviate from this preliminary list of documents and to introduce documents into evidence not listed above discovered during the course of this litigation and for the purpose of impeachment, rebuttal or surrebuttal.

Respectfully submitted,

s/ Mary Lee Schiff

Mary Lee Schiff

Wm. Michael Schiff

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing pleading was filed electronically this 4th day of June, 2014. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system:

Benjamin R. Aylsworth and Kyle F. Biesecker
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s/ Mary Lee Schiff

Mary Lee Schiff